

### REMARKS

In response to the Final Office Action mailed November 20, 2009, Applicants respectfully request reconsideration. Claims 1-14 were previously pending in this application, with claims 1, 8, 10 and 14 being independent claims. By this amendment, claims 1, 8, 10, and 14 have been amended. The application as presented is believed to be in condition for allowance.

#### I. Rejections under 35 U.S.C. §102

The Office Action rejects claims 1-4 (including independent claim 1) under U.S.C. §102(b) as allegedly being anticipated by Japanese Patent Publication No. 2000-306605 ("Yonehara"). In view of the amendments herein, Applicants respectfully request reconsideration.

Claim 1 as amended recites, "A method of forming an electrolyte comprising an electrolyte composition and a matrix polymer, the method comprising: forming the matrix polymer by polymerization of a first compound having **at least three isocyanate groups** and a second compound having at least two nucleophilic groups containing active hydrogen, said polymerization being performed after a precursor for the matrix polymer is brought into contact with a surface on which the electrolyte is to be formed; wherein the electrolyte layer is formed between two electrodes (emphasis added)." Support for this amendment is found at least at paragraph [0041] of the specification.

The Office Action asserts that paragraphs [0058] and [0070] of Yonehara disclose compounds containing diisocyanate groups (Office Action, page 3). However, Yonehara fails to disclose a first compound having **at least three isocyanate groups** as recited in amended claim 1.

For at least this reason, claim 1 patentably distinguishes over Yonehara, and it is respectfully requested that the rejection of claim 1 be withdrawn. Claims 2-7 depend from claim 1 and each of these dependent claims patentably distinguishes over Yonehara for at least the same reasons.

#### II. Rejections under 35 U.S.C. §103

The Office Action rejects claims 8-14 (including independent claims 8, 10 and 14) under 35 U.S.C. §103(a) as purportedly being obvious over U.S. Patent No. 6,291,763 ("Nakamura") in view

of U.S. Patent No. 4,902,440 ("Takeyama"). In view of the amendments herein, Applicants respectfully request reconsideration.

*A. Independent Claim 8*

Amended claim 8 is directed to a photocell and recites, *inter alia*, "wherein the matrix polymer is a polymer formed by polymerization of a **first compound having at least three isocyanate groups** and a second compound having at least two nucleophilic groups containing active hydrogen (emphasis added)."

The Office Action concedes that Nakamura fails to disclose a polymerization of a first compound having at least two isocyanate groups and a second compound having at least two nucleophilic groups containing active hydrogen but asserts that col. 9, line 65 – col. 10, line 18 of Takeyama discloses UV-curable polymers formed by a polymerization of a first compound having at least two isocyanate groups... (Office Action, page 6). The cited portion of Takeyama is directed to reacting tolylene diisocyanate and isophorone diisocyanate. Neither of these compounds, nor any other compounds disclosed for use in a polymerization reaction in Takeyama includes at least three isocyanate groups as recited in amended claim 8.

For at least this reason, claim 8 patentably distinguishes over the combination of Nakamura and Takeyama, and it is respectfully requested that the rejection of claim 8 be withdrawn. Claim 9 depends from claim 8 and patentably distinguishes over Nakamura and Takeyama for at least the same reasons.

*B. Independent Claim 10*

Amended claim 10 is directed to a method for manufacturing a photocell. The method comprises, *inter alia*, "injecting a mixed solution between a counter electrode and an electrode formed on a surface of a substrate, the mixed solution containing a **first compound having at least three isocyanate groups**, a second compound having at least two nucleophilic groups containing active hydrogen, and an electrolyte composition having a redox couple... (emphasis added)."

As should be appreciated from the foregoing discussion, claim 10 patentably distinguishes over Nakamura and Takeyama because these references, when considered alone or in combination,

fail to disclose the above-highlighted limitation of claim 10. Accordingly, it is respectfully requested that the rejection of claim 10 be withdrawn. Claims 11-13 depend from claim 10 and each of these dependent claims patentably distinguishes over Nakamura and Takeyama for at least the same reasons.

### *C. Independent Claim 14*

Amended claim 14 is directed to a method for manufacturing a photocell. The method comprises, *inter alia*, “applying a **first compound having at least three isocyanate groups** and a second compound having at least two nucleophilic groups containing active hydrogen ... (emphasis added).”

As should be appreciated from the foregoing discussion, claim 14 patentably distinguishes over Nakamura and Takeyama because these references, when considered alone or in combination, fail to disclose the above-highlighted limitation of claim 14. Accordingly, it is respectfully requested that the rejection of claim 14 be withdrawn.

### III. General Comments on Dependent Claims

Since each of the dependent claims depends from an independent claim that is believed to be in condition for allowance, Applicants believe that it is unnecessary at this time to argue the allowability of each of the dependent claims individually. However, Applicants do not necessarily concur with the interpretation of the dependent claims as set forth in the Office Action, nor do Applicants concur that the bases for the rejection of any of the dependent claims is proper. Therefore, Applicants reserve the right to specifically address the patentability of the dependent claims in the future if deemed necessary.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

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Respectfully submitted,

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